

48604

NOTARIAL REQUIREMENT BY

ORDER # 52038

APN

WHEN RECORDED MAIL TO

APR 25 1977

RECORDED AT REQUEST OF  
FOUNDERS TRUST COMPANY

APR 25 1977

AT 8:00 AM

CONTRA COSTA COUNTY, CALIFORNIA

FEES 13.00 J.R. OLSON  
COUNTY RECORDER

306 42

SPACE ABOVE THIS LINE FOR RECORDER'S USE

# CORPORATION GRANT DEED

The undersigned grantor(s) declare(s):

Documentary transfer tax is \$ 262.35

( X ) computed on full value of property conveyed, or

( ) computed on full value less value of liens and encumbrances remaining at time of sale

( ) Unincorporated area: ( X ) City of Walnut Creek and

( ) Realty not sold.

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,  
LOWELL BERRY FOUNDATION, a corporation,

a corporation organized under the laws of the State of California

hereby GRANTS to PTLA, a California corporation, and ARNOLD L. BELGUM &  
LORRAINE A. BELGUM, his wife as community property; and CHET L. BAIRD &  
FRANCES M. BAIRD, his wife as community property; and LLOYD A. JONES and  
ILENE L. JONES, his wife as community property and SAMUEL K. BELER & CYNTHIA  
T. BELER, his wife, as community property ALL AS TENANTS IN COMMON  
the following described real property in the City of Walnut Creek  
County of Contra Costa State of California:

Re: Exhibit "A" attached hereto and made a part hereof.

EXCLUDING the improvements situated thereon which are presently owned by  
Walnut Creek Properties, a limited partnership. It is not the intention  
of the grantor herein to retain any interest in and to the real  
property described herein by excluding said improvements.

FURTHER, RESERVING UNTO GRANTOR a mutual and reciprocal easement for  
ingress and egress described in Exhibit "B" and "C" attached.  
(Grantor and Grantee covenant and agree to execute any additional  
grants and documents hereafter in order to protect said easements of  
record.)

Further, grantor assigns to grantee eighty-seven (87) parking spaces as  
described in Exhibit "D" and "E" attached. Grantor reserves the four  
(4) spaces shown for its use and shares the four (4) visitor spaces  
shown with the Grantee.

Mail tax statements to Grantee as above

In Witness Whereof, said corporation has caused its corporate name and seal to be affixed hereto and this  
instrument to be executed by its duly authorized officers.

Dated April 20, 1977

STATE OF CALIFORNIA }  
COUNTY OF Contra Costa } ss.

On 4/22/77 before me,  
the undersigned, a Notary Public in and for said County and  
State, personally appeared  
Lowell W. Berry

known to me to be the President, and

known to me to be the Secretary of  
the Corporation that executed the within instrument, known  
to me to be the persons who executed the within instrument  
on behalf of the Corporation therein named, and acknowledged  
to me that such Corporation executed the within instrument  
pursuant to its bylaws or a resolution of its Board of Directors

WITNESS my hand and official seal

Signature Ruben Frias

Ruben Frias  
Name (Typed or Printed)

LOWELL BERRY FOUNDATION  
a Corporation

BY: [Signature] President

[Signature] Secretary

OFFICIAL SEAL  
RUBEN FRIAS  
NOTARY PUBLIC - CALIFORNIA  
My Commission Expires March 31, 1979

SEAL AFFIXED

(This area for official notarial seal)

FOUNDERS TITLE COMPANY

ORDER NO. 306392

EXHIBIT "A"

BOOK 8300 PAGE 716

The land referred to is situated in the State of California, County of Contra Costa, City of Walnut Creek, described as follows:

PARCEL ONE

Portions of Lots 25 and 26, as shown on the Map of Goodman Tract, filed July 1, 1918 in Book 16 of Maps, page 354 in the office of the County Recorder of Contra Costa County, described as follows:

Commencing on the east line of Road No. 6 as shown on said map, now known as Alpine Road, at the most easterly corner of the parcel of land described as Parcel One in the deed from John W. Skinner, as Administrator, to William B. Burke, et al, dated November 16, 1940, and recorded December 21, 1940, in Book 573 of Official Records, page 448; thence from said point of commencement, South 25° 50' 30" East along said east line, 87 feet to the actual point of beginning of the herein described parcel of land; thence from said point of beginning, South 25° 50' 30" East along said east line, 120 feet to the most easterly corner of said Lot 25; thence South 67° 10' West along the south line of said Lot 25, a distance of 45 feet to the southwestern line of Alpine Road; thence along said last named line South 25° 50' 30" East 25 feet; thence south 67° 10' West, 165.00 feet; thence North 25° 50' 30" West 25 feet to the south line of said Lot 25; thence along said last named line South 67° 10' West, 95.17 feet to the exterior line of said Burke Parcel, 573 OR 448; thence along the exterior line of said Burke Parcel, North 25° 50' 30" West 207 feet and north 67° 10' East, 119.94 feet to a point distant thereof South 67° 10' West 185.23 feet from the point of commencement hereinabove mentioned; thence leaving said exterior line, South 25° 50' 30" East 87 feet to a point which bears South 67° 10' West 185.23 feet from the point of beginning hereinabove mentioned; thence North 67° 10' East 185.23 feet to the point of beginning.

EXCEPTING THEREFROM:

That certain Parcel of land described in the Deed to the City of Walnut Creek, recorded April 23, 1968, Book 5695 of Official Records, page 206, Contra Costa County Records.

FOUNDERS TITLE COMPANY

ORDER NO. 306392

PARCEL TWO:

BOOK 8300 PAGE 717

Portion of lots 24 and 25, as shown on the map of Goodman Tract, filed July 1, 1918, in Book 16 of Maps, Page 354, in the Office of the County Recorder of Contra Costa County, described as follows:

Commencing on the east line of Road No. 6, as shown on said map, now known as Alpine Road, at the most easterly corner of the parcel of land described as Parcel 1 in the deed from John W. Skinner, as Administrator, to William B. Burke, et al, dated November 16, 1940, and recorded December 21, 1940, in Book 573, Page 448, Official Records; thence from said point of commencement, South 25° 50' 30" east along said east line 87 feet; thence South 25° 50' 30" east along said east line, 120 feet to the most easterly corner of said lot 25; thence south 67° 10' west along the south line of said lot 25, a distance of 45 feet to the southwestern line of Alpine Road; thence along said last named line South 25° 50' 30" east 25 feet; thence South 67° 10' West, 165.00 feet; thence North 25° 50' 30" west 25 feet to the south line of said lot 25; thence along said last named line South 67° 10' west 95.17 feet to the exterior line of said Burke parcel, 573 OR 448; thence along the exterior line of said Burke parcel, north 25° 50' 30" west 207 feet to the true point of beginning; thence back along said exterior line of said Burke parcel south 25° 50' 30" east a distance of 177 feet more or less to the most northeasterly corner of that certain parcel of land granted to the Lowell Berry Foundation, a California corporation, by deed recorded September 19, 1969, in book 5965, page 446, Official Records; thence south 84° 42' 52" west along the north line of the last above mentioned parcel of land, a distance of 35 feet; thence leaving said line and running in a direct line to the true point of beginning.

"AGREEMENT BETWEEN THE PARTIES OF WALNUT CREEK  
PROPERTIES, LOWELL BERRY FOUNDATION, AND SAM  
BELLE AND ASSOCIATES TO PROVIDE FOR FREE ACCESS  
OF THESE PARTIES TO THE PARKING LOT AREA AROUND  
THE OLYMPIC PLAZA BUILDING AND THE BERRY BUILDING"

800: 8300 PAGE 718

Reference Drawing: #OP-01

In order to assure the proper use of these two office buildings, it is necessary to share common areas of the adjacent parking lots; therefore, it is agreed that for the area shown on the attached drawing #OP-01, any vehicle belonging to tenant personnel of either building, their guests, business clients, visitors, and any other vehicles necessary to service, maintain, or supply either building will have the right of free access to and free movement within this area and that right will not be restrained in any manner by the parties of this agreement.

Likewise, all pedestrians and all persons associated in any way with the tenants of these buildings will have the same right of free access and movement.

Furthermore, free access through the parking area to the property lying to the north west of the parking area as shown in drawing #OP-01, will also be granted by all parties. That is, it is clearly understood that, should this property be developed at some future time, vehicles and personnel associated with the construction of and the occupancy of this development will be permitted the right to enter and exit and pass through the parking lot around the Olympic Plaza Building and the Berry Building.

This "parking lot area" is specifically the one entrance/exit driveway on Alpine Road, the two entrance/exit driveways on Olympic Boulevard, and all roadways and paths which are on the lot itself.

Date: April 22, 1977

Date: April 21, 1977

Agreed:

Agreed:

*Sam Belle*  
PTLA Sam Belle and Associates  
(for the Olympic Plaza Building  
and land associated with it)

*Lowell W. Berry*  
Lowell W. Berry Mary Levin General  
Walnut Creek Properties, Partner  
(for the Berry Building)

Agreed:

*Lowell W. Berry*  
Lowell W. Berry  
President,  
Lowell Berry Foundation  
(for land associated with the Berry Building)

SEAL AFFIXED

EXHIBIT B

STATE OF CALIFORNIA 800: 8300 PAGE 719  
COUNTY OF CONTRA COSTA SS.

On 4-22, 1977

before me, the undersigned, a Notary Public in and for said County and State, personally appeared

*Sam Butler*  
known to me to be the President, and

known to me to be the Secretary of the corporation that executed the within instrument, and known to me to be the persons who executed the within instrument on behalf of the corporation therein named, and acknowledged to me that such corporation executed the same, and acknowledged to me that such corporation executed the within instrument pursuant to its by-laws or a resolution of its board of directors.

WITNESS my hand and official seal.



(Seal)

*Susan Manning*  
Notary Public in and for said County and State

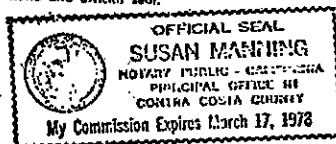
[Notary's name shall be typed or legibly printed - Gov't. Code 8205]  
CORPORATION

STATE OF CALIFORNIA 300 8300 PAGE 720  
COUNTY OF SS.  
Contra Costa

On 4 22 19 77  
before me, the undersigned, a Notary Public in and for said County  
and State personally appeared  
Lawrence W. Berry  
known to me to be the President, and

known to me to be the Secretary of  
the corporation that executed the within instrument, and known to  
me to be the persons who executed the within instrument on behalf  
of the corporation therein named, and acknowledged to me that such  
corporation executed the same, and acknowledged to me that such  
corporation executed the within instrument pursuant to its by-laws  
or a resolution of its board of directors.

WITNESS my hand and official seal.



(Seal) Susan Manning  
Notary Public in and for said County and State

[Notary's name shall be typed or legibly printed - Gov't. Code 8205]  
CORPORATION

STATE OF CALIFORNIA )  
 ) SS  
COUNTY OF ALAMEDA )

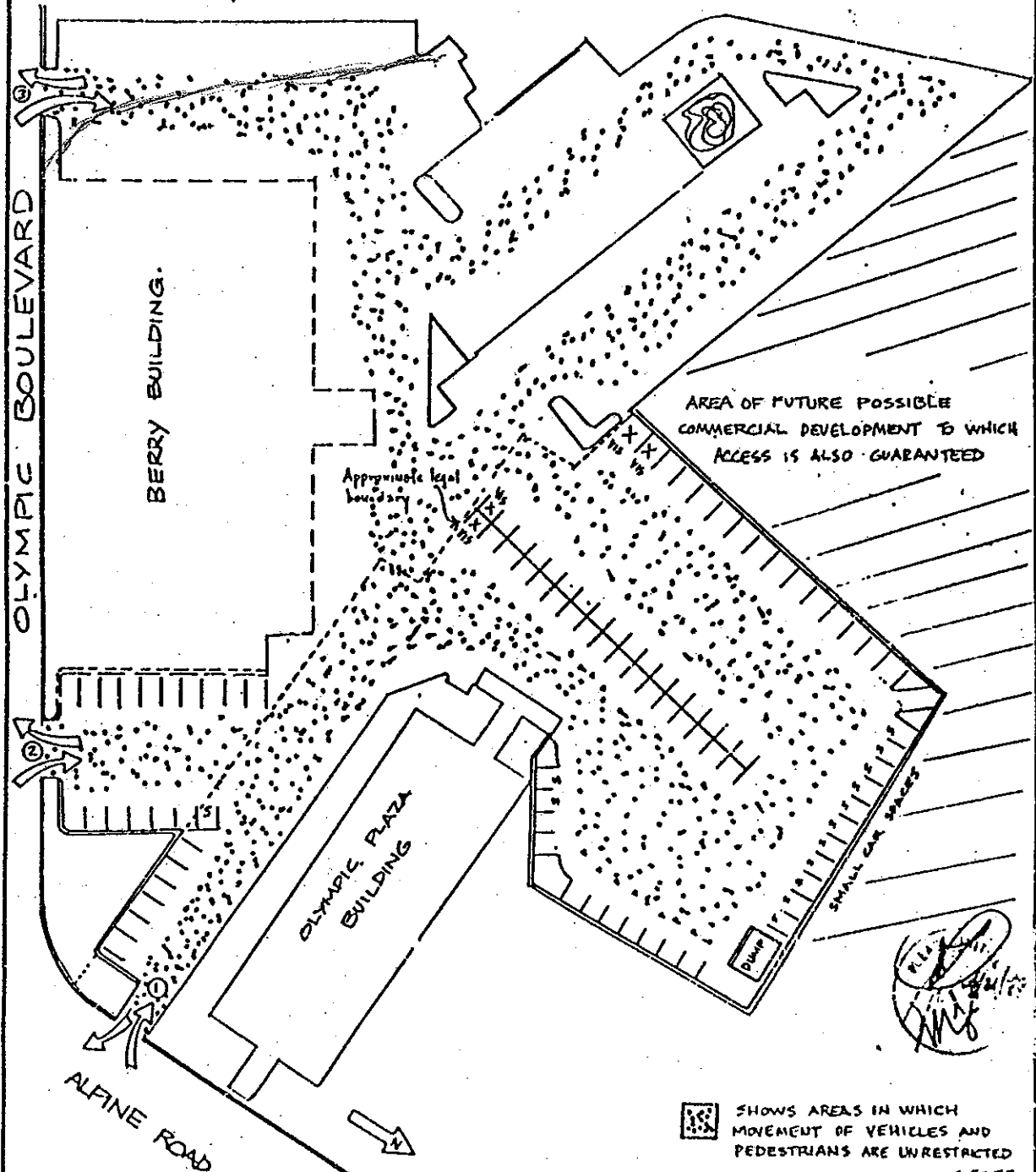
300x 8300 PAGE 721

On April 22, 1977, before me, the undersigned,  
a Notary Public in and for said County and State, personally  
appeared Marvin T. Levin, known to me to be  
the General Partner of Walnut Creek Properties,  
the limited partnership that executed the within instrument  
and acknowledged to me that such limited partnership  
executed the same.

WITNESS my hand and official seal.



Melba A. Caisse  
Notary Public in and for said  
County and State



FREE ACCESS AREA BETWEEN OLYMPIC PLAZA BUILDING AND BERRY BUILDING AT OLYMPIC BLVD. AND ALPINE ROAD, WALNUT CREEK, CA.

DRAWING  
CF-01

# EXHIBIT C



"AGREEMENT BETWEEN WALNUT CREEK PROPERTIES,  
LOWELL BERRY FOUNDATION, AND SAM BELLER AND  
ASSOCIATES FOR THE DESIGNATION OF THE PARKING  
SPACES FOR THE USE OF TENANTS OF THE OLYMPIC  
PLAZA BUILDING AND OF THE BERRY BUILDING"

BOOK 8300 PAGE 723

Reference Drawing: #OP-02

The sale of the Olympic Plaza Building and the land around the building (as described in Founders Title Company Preliminary Report No. 306392 dated March 15, 1977) by Walnut Creek Properties and the Lowell Berry Foundation to Sam Beller and Associates includes sufficient parking spaces to accomodate the tenants of and visitors to the Olympic Plaza Building. As drawing No. OP-02 (attached) shows, some of the spaces used by Olympic Plaza tenants lie upon the property owned by the owners of the Berry Building. Also, some spaces used for visitor parking for both buildings lie upon land belonging to the owners of the Olympic Plaza Building. Furthermore, the location of the disposal bin used for both buildings lies upon the Olympic Plaza property.

Therefore, this agreement is for the purpose of specifying the exact allocation of these spaces to be used by the owners and tenants of the Olympic Plaza Building, those spaces used in common, and other adjustments.

The following is agreed upon (refer to Drawing no. OP-02):

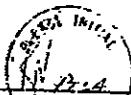
1. The four spaces - A, B, C, and D are designated as visitor spaces for use by visitors to either building.
2. The four spaces - #5, #6, #7, #8, are assigned to the Berry Building as of April 21, 1977. The owners of the Berry Building and Olympic Plaza may mutually agree to exchange these four spaces with any other space locations at spaces #1 through #4 or #9 through #91.
3. The location of the disposal bin will remain at the North East corner of the upper lot and will be for the use of both buildings.
4. The spaces #76 through #91, which are located entirely on Berry Building property, are assigned to the owners of the Olympic Plaza Building for auto parking use only. No ownership of this land is implied.
5. Therefore, the total number of spaces for the exclusive use of the owners of the Olympic Plaza Building are 87 (14 small auto and 77 regular auto) as shown #1 through #4 and #9 through #91, as shown on drawing #OP-02, attached.

Date: April 22, 1977

Date: April 21, 1977

Agreed:

Agreed:

  
Sam Beller Pres.  
Sam Beller and Associates PTLA  
(for the Olympic Plaza Building  
and land associated with it)

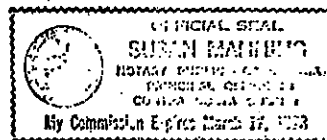
  
MARVIN LEVIN  
Walnut Creek Properties, Partner  
(for the Berry Building)

Agreed:

SEAL AFFIXED

Lowell W. Berry

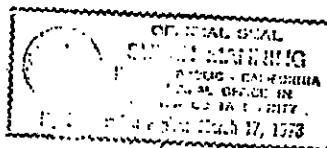
On 4-22, 1977  
before me, the undersigned, a Notary Public in and for said County  
and State, personally appeared  
Sam Bell  
known to me to be the President, and  
known to me to be the Secretary of  
the corporation that executed the within instrument, and known to  
me to be the persons who executed the within instrument on behalf  
of the corporation therein named, and acknowledged to me that such  
corporation executed the same, and acknowledged to me that such  
corporation executed the within instrument pursuant to its by-laws  
or a resolution of its board of directors.  
WITNESS my hand and official seal.



(Seal) Susan Manning  
Notary Public in and for said County and State.

(Notary's name shall be typed or legibly printed - Gov't. Code §205)  
CORPORATION

On 4-22, 1977  
before me, the undersigned, a Notary Public in and for said County  
and State, personally appeared  
Charles W. Berry  
known to me to be the President, and  
known to me to be the Secretary of  
the corporation that executed the within instrument, and known to  
me to be the persons who executed the within instrument on behalf  
of the corporation therein named, and acknowledged to me that such  
corporation executed the same, and acknowledged to me that such  
corporation executed the within instrument pursuant to its by-laws  
or a resolution of its board of directors.  
WITNESS my hand and official seal.



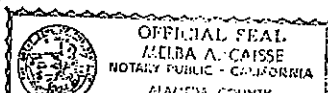
(Seal) Susan Manning  
Notary Public in and for said County and State.

(Notary's name shall be typed or legibly printed - Gov't. Code §205)  
CORPORATION

STATE OF CALIFORNIA )  
COUNTY OF ALAMEDA ) SS

On April 22, 1977, before me, the undersigned,  
a Notary Public in and for said County and State, personally  
appeared Marvin T. Levin, known to me to be  
the General Partner of Walnut Creek Properties,  
the limited partnership that executed the within instrument  
and acknowledged to me that such limited partnership  
executed the same.

WITNESS my hand and official seal.



Melba A. Caisse  
Notary Public in and for said

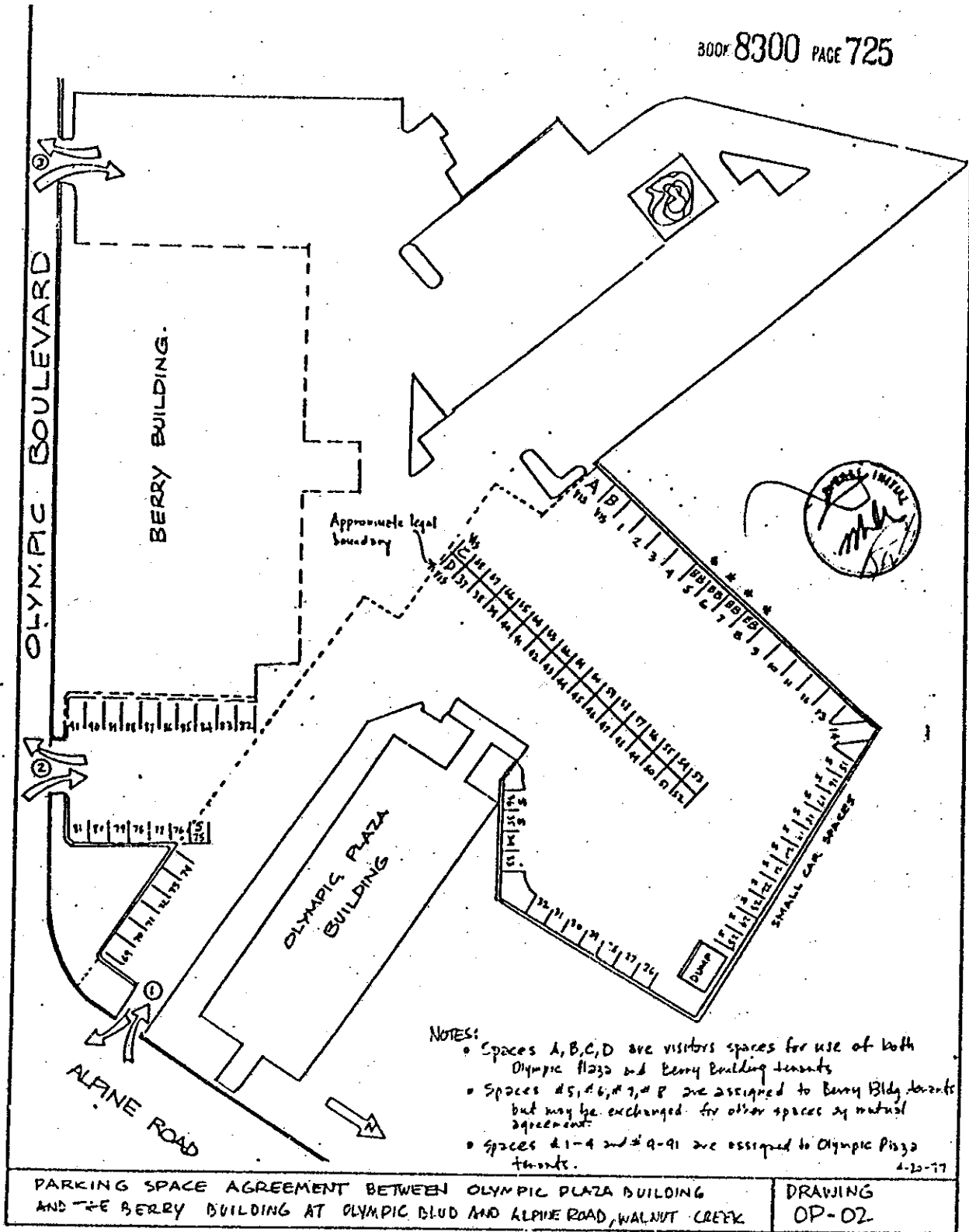


EXHIBIT E